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Attorneys for Defendant
CBR SYSTEMS, INC.

[Additional counsel listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

AMY COHEN, KATHARINE VACCARELLA,
and SIRISHA KONERU on behalf of themselves
and all others similarly situated,

Plaintiffs,

vs.

CBR SYSTEMS, INC., GI PARTNERS, and
DOES 1-10,

Defendants.

Case No. 4:21-cv-06527-HSG

**STIPULATION AND [PROPOSED]
ORDER TO STAY ACTION PENDING
SETTLEMENT DISCUSSIONS**

Hon. Haywood S. Gilliam, Jr.

STIPULATION

Plaintiffs Amy Cohen, Katharine Vaccarella, and Sirisha Koneru (collectively, “Plaintiffs”), and Defendants CBR Systems, Inc. (“CBR”) and GI Partners (“GI”; and together with CBR, “Defendants”), through their attorneys of record, hereby agree and stipulate as follows:

WHEREAS, Plaintiffs filed a second amended complaint (“SAC”) on November 10, 2021, with the consent of Defendants;

WHEREAS, pursuant to stipulation of the parties (Dkt. 37), Defendants’ deadline to respond to the SAC is currently December 10, 2021;

WHEREAS, the parties have been actively engaged in settlement discussions;

WHEREAS, the parties do not wish not to burden the Court or one another with potentially unnecessary proceedings while they pursue settlement; and

WHEREAS, the parties believe that the Initial Case Management Conference currently set for November 23, 2021, would be premature in light of the current case status and is potentially unnecessary in light of the parties’ ongoing settlement discussions.

NOW, THEREFORE, it is stipulated and agreed between the parties that:

1. The action be stayed for a period of ninety (90) days to allow the parties to focus on pursuing settlement;

2. Defendants’ deadline to respond to the SAC shall be continued from December 10, 2021, to February 10, 2022;

3. To the extent that either Defendant believes that filing a motion in response to the SAC prior to February 10, 2022, may facilitate settlement, it may do so, but Plaintiffs’ opposition to such a motion shall not be due until February 24, 2022, and the moving Defendant’s reply in support of such a motion shall not be due until March 10, 2022; and

4. The Initial Case Management Conference shall be continued from November 23, 2021, to May 24, 2022.

IT IS SO STIPULATED.

Dated: November 12, 2021

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: /s/ Dianne L. Sweeney
DIANNE L. SWEENEY

Attorneys for Defendant CBR SYSTEMS, INC.

MILLER BARONDESS, LLP

By: /s/ Casey B. Sypek
CASEY B. SYPEK

Attorneys for Defendant GI PARTNERS

MILBERG COLEMAN BRYSON PHILLIPS
GROSSMAN, PLLC

By: /s/ Rachel L. Soffin
RACHEL L. SOFFIN

Attorneys for Plaintiffs

[PROPOSED] ORDER

SO ORDERED THIS _____ day of _____, 2021.

HONORABLE HAYWOOD S. GILLIAM, JR.
United States District Judge

RULE 5-1(i)(3) ATTESTATION

I, Dianne L. Sweeney, attest pursuant to Rule 5-1(i)(3) of the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California that I have obtained the concurrence in the filing of this document from the other signatories.

Dated: November 12, 2021

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: /s/ Dianne L. Sweeney
DIANNE L. SWEENEY

Attorneys for Defendant CBR SYSTEMS, INC.